

## **SECTION 16: ADMINISTRATION AND ENFORCEMENT**

### **16.1 Duty of Board of Selectmen**

It shall be the duty of the Board of Selectmen to enforce and administer the provisions of this Ordinance. The Board of Selectmen or an appointed Building Inspector shall administer the Zoning Ordinance literally and shall not have the power to permit any use of land or buildings that are not in conformance with this Ordinance. Variances and Special Exceptions must be approved by the Zoning Board of Adjustment.

### **16.2 Requirement of Building Permit**

16.2.1 A building permit shall be obtained before a building or structure is constructed, extended, removed or altered. This requirement also applies to swimming pools, Manufactured homes, modular homes and exterior signs. Alterations to an existing building or structure within the existing footprint that do not exceed \$10,000 in estimated value shall not require a permit.

16.2.2 A building permit application shall be on a form provided by the Town, and shall furnish all requested information, and be accompanied by a permit fee, based on a fee schedule established by the Board of Selectmen.

16.2.3 The Board of Selectmen or Building Inspector shall act upon any application within 30 days after it has been received. In the event that 30 days is determined by the Board of Selectmen to be insufficient, the time period may be extended by the Board of Selectmen for an additional 30 days. If a permit is denied, the reason for denial shall be clearly stated in writing. The Zoning Board of Adjustment may, upon appeal, special exception or variance, direct the issuance of a permit.

16.2.4 Any permit issued shall become invalid if the authorized work is not commenced within 12 months after issuance of the permit, or if authorized work is suspended or abandoned for a period of six months after the time of commencing the work.

16.2.5 A true copy of the building permit shall be kept on the site of operations open to public inspection during the entire time of prosecution of the work and until the completion of same.

16.2.6 No permit shall be transferred to a subsequent owner.

16.2.7 The Board of Selectmen may appoint a Building Inspector, prescribe his duties, and fix his compensation.

16.2.8 In the discharge of duties, the Board of Selectmen, Building Inspector, Fire Chief, or authorized representative shall have the authority to enter at any reasonable hour, with the permission of the leaseholder or, if there is no leaseholder, the owner (provided prior notice is offered the leaseholder, or, if there is no leaseholder, the owner), any building, structure or premises in the Town to enforce the provisions of this ordinance.

16.2.9 The Board of Selectmen, Building Inspector, Fire Chief or authorized representative shall not be personally liable while performing duties in administration of this Ordinance. No oversight or neglect of duty of these officials in administering this ordinance shall legalize any work that fails to conform to this ordinance nor relieve the applicant therefrom.

16.2.10 Upon notice from the Board of Selectmen or the Building Inspector that work on any building or structure is being prosecuted contrary to the provisions of this Ordinance or in an unsafe or dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Any person who shall continue to do any work in or about the structure after having been served with the stop work order, except such work as that person is directed to perform to remove a

violation or unsafe condition(s), shall be subject to fines as provided for in Section 16.3 of this Ordinance.

16.2.11 A building or structure, with the exception of detached single family residences, hereafter erected shall not be used or occupied in whole or in part until the certificate of use and occupancy shall have been issued by the Board of Selectmen or the Building Inspector. A building or structure, hereafter enlarged, extended or altered for change from one use to another, whether in whole or in part, shall not be occupied or used for the change in use until the certificate of use and occupancy has been issued. Any use not discontinued during the Alterations shall be discontinued within 60 days after the work is completed, if the certificate of use and occupancy has not been issued.

### **16.3 Enforcement and Penalty**

16.3.1 If any violation of this Ordinance occurs, the Board of Selectmen shall institute in the name of the Town of Jackson, any appropriate action, injunction, or other proceeding to prevent, restrain, correct or abate such violation.

16.3.2 A violation of this ordinance shall be punished by a fine of not more than the maximum set by state law, with each day that such violation continues to be deemed a separate offense.